IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.9411 of 2005

Between:

Md. Naseer Khan, R/o. 5-7-12/3,

Nampally, Hyderabad.

... PETITIONER

AND

1 The Station House Officer, Habeebnagar Police Station,

Hyderabad.
2 The Station House Officer, Nampally Police Station,

Hyderabad.
3 The Secretary, Andhra Pradesh Wakf Board, Hyderabad.
4 The Commissioner of Police, Twin Cities, Hyderabad.
5 The Secretary to the Government of Andhra Pradesh,

Home (Police) Department, Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Telegram issued by the petitioner herein, the High Court may be pleased to issue an Order, direction, or a Writ, more particularly

one in the nature of Writ of Mandamus to call for the records and remarks from the Respondents herein relating to the damaging the grave yards of Nawab Habeebullah Khan Chobotra situated beside H.No. 5-7-12/3, Namplally, Hyderabad, by some unsocial elements, kidnappers, and land grabbers, Viz, Basheer Khan, with the help of 3 previous head constables of Habeebnagar Police Station, Viz., M.A. Khader, Butchnaih, Ramesh and Masud Shabbir, Ashraf Ali Mohd Khan, Mannan Khan, Razzak, Habeemabee, Jameel and Jony with the help of unsocial elements inspite of the orders of lower Courts and the Hon'ble High Court, and threatening the Petitioner with dire consequences, and to pass appropriate orders directing the Respondents herein to protect the life of the Petitioner and his property and the grave yard at Nampally and prevent further damage to the shrine.

Counsel for the Petitioner: TELEGRAM

Counsel for the Respondent Nos.1 to 5: GP FOR HOME

The Court made the following:

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P. No.9411 of 2005

ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

In the affidavit filed in response to the notice issued by this Court, the Inspector of Police, Habeebnagar Police Station, Hyderabad, states that there has been no interference with the possession of the petitioner by the respondents at any point of time and no damage has been caused to the graveyard of Nawab Habeebullah Khan Chabuthra situated beside the house of the petitioner. It is stated that on verification and enquiry, all the allegations and the averments made in the telegram sent to this Court are found to be false. It is stated that the petitioner is in the habit of quarreling with the neighbours and passers-by without any reason whatsoever.

No directions as such are required to be issued.

The Writ Petition fails and the same shall accordingly stand dismissed without any order as to costs.

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B. SUDERSHAN REDDY, J

Date:28-04-2005.

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C.V. RAMULU, J

PV

1 The Station House Officer, Habeebnagar Police Station,

Hyderabad.
2 The Station House Officer, Nampally Police Station,

Hyderabad.
3 The Secretary, Andhra Pradesh Wakf Board, Hyderabad.
4 The Commissioner of Police, Twin Cities, Hyderabad.
5 The Secretary to the Government of Andhra Pradesh,

Home (Police) Department, Secretariat, Hyderabad.

6 Two CCs to the Government Pleader for Home,

High Court Buildings, Hyderabad.(O.U.T.)

7 Two C.D. Copies.